

## IN THE CLAIMS

Please amend the claims to read as follows:

### Listing of Claims

1-37. (Canceled).

38. (New) A method of determining feedback in a communication system, the method comprising:

mapping by a transmitting apparatus groups of bits of transmission data comprising data entities of different levels of importance to multi-level modulation symbols, wherein the bits of a respective data entity within each group of bits is mapped to a respective hierarchical part of the respective multi-level modulation symbol,

transmitting the multi-level modulation symbols from the transmitting apparatus to a receiving apparatus,

determining at the receiving apparatus for which data entities of the received data feedback should be provided based on a decision which data entities are required and which data entities are optional to satisfy a quality of service (QoS) criterion, and based on the hierarchical parts of the respective multi-level modulation symbols that correspond to data entities required to satisfy the QoS criterion, and

transmitting feedback for those data entities for which it has been determined that feedback should be provided from the receiving apparatus to the transmitting apparatus to thereby satisfy said QoS requirement.

39. (New) The method according to claim 38, wherein the levels of importance are predetermined or conveyed during setup of the transmission.

40. (New) The method according to claim 38, wherein the levels of importance are dynamically varied during transmission and signaled from the transmitter to the receiver.

41. (New) The method of claim 38, wherein the data entities of different levels of importance are assigned hierarchical transmission modes in multi-level modulation formats.

42. (New) The method according to claim 38, wherein the communication system is a multi-cast transmission system comprising at least one data transmitting apparatus and multiple data receiving apparatuses.

43. (New) The method according to claim 42, wherein the feedback is transmitted at least from one designated multicast receiving apparatus.

44. (New) The method according to claim 38, wherein the communication system is a wireless mobile communication system having a plurality of mobile receiving apparatuses with different qualities of the received data.

45. (New) The method according to claim 43, wherein the feedback is transmitted by the multicast receiving apparatus only, if a QoS criterion for at least one data entity of one level of importance has not been met.

46. (New) The method according to claim 38, wherein the data is transmitted using MPEG data compression, comprising frames or pictures having different levels of importance.

47. (New) The method according to claim 38, wherein the feedback signifies positive or negative acknowledgements of received data packets.

48. (New) The method according to claim 38, wherein the feedback requests control of at least one of the transmission parameters including transmission power, coding gain, modulation, data rate and error probability.

49. (New) The method according to claim 38, wherein an adjustment of the power ratio between the data entities of different importance levels is effected.

50. (New) The method according to claim 39, wherein the required data entities will be transmitted with increased power, while the optional data entities will be transmitted with decreased power, such that the combined transmitted power remains unchanged.

51. (New) The method according to claim 38, wherein for data entities of different importance levels, different modulation schemes are selected.

52. (New) The method according to claim 38, wherein for data entities of different importance levels uniform and non-uniform signal constellations are selected.

53. (New) The method according to claim 38, wherein the signal constellation employed for modulation is selected such that a desired error resilience of the data entities is translated into the arrangement of the signal constellation points.

54. (New) A receiving apparatus for use in a communication system comprising:  
a receiver section that receives multi-level modulation symbols,  
a de-mapping section that de-maps the multi-level modulation symbols to bits of a respective data entity within each group of bits, wherein the de-mapping section is adapted to de-map respective hierarchical parts of a respective multi-level modulation symbol to bits of a respective data entity within each group of bits,

a determination section that determines for which data entities of the received data feedback should be provided based on a decision which data entities are required and which data entities are optional to satisfy a quality of service (QoS) requirement, and based on the hierarchical parts of the respective multi-level modulation symbols that correspond to data entities required to satisfy the QoS criterion,

a transmitter section that transmits feedback for those data entities for which it has been determined that feedback should be provided from the receiving apparatus to the transmitting apparatus to thereby satisfy said quality of service (QoS) requirement.

55. (New) The receiving apparatus according to claim 54, further comprising a storage section that stores criteria which define the levels of importance, or that stores the levels of importance, which are signaled from the transmitting apparatus.

56. (New) A transmitting apparatus for use in a communication system comprising:  
a mapping section that maps groups of bits of transmission data comprising data entities of different levels of importance to multi-level modulation symbols, wherein the mapping section is adapted to map the bits of a respective data entity within each group of bits to a respective hierarchical part of the respective multi-level modulation symbol,

a transmitter section that transmits said multi-level modulation symbols to a receiving apparatus, and

a receiving section that, receives feedback for data entities of the transmitted data for which the receiving apparatus has determined that feedback should be provided to satisfy said quality of service (QoS) requirement.

57. (New) The transmitting apparatus according to claim 56, wherein the variation section dynamically varies the criteria defining the levels of importance, or the levels of

importance, according to at least one of the transmission parameters including transmission power, coding gain, modulation, data rate and error probability.

58. (New) The transmitting apparatus according to claim 56, wherein the transmitting apparatus uses MPEG data compression comprising frames or pictures having different levels of importance.

59. (New) A communication system comprising (a) a transmitting apparatus, and (b) a receiving apparatus according to claim 54.

60. (New) A multicast transmission communication system comprising at least one data transmitting apparatus and multiple data receiving apparatuses according to claim 54.

61. (New) A wireless mobile communication system having a plurality of mobile receiving apparatuses according to claim 54 receiving the data at different qualities.

62. (New) The method according to claim 44, wherein the feedback is transmitted by the multicast receiving apparatus only, if a QoS criterion for at least one data entity of one level of importance has not been met.

63. (New) The method according to claim 49, wherein the required data entities are transmitted with increased power, while the optional data entities are transmitted with decreased power, such that the combined transmitted power remains unchanged.

64. (New) The transmitting apparatus according to claim 57, wherein the transmitting apparatus uses MPEG data compression comprising frames or pictures having different levels of importance.

65. (New) The communication system according to claim 59, further comprising a classifying section that determines which data entities are required and/or are optional to satisfy a service requirement.

66. (New) The communication system according to claim 59, wherein the receiving apparatus further comprises a storage that stores criteria which define the levels of importance, or that stores the levels of importance, which are signaled from the transmitting apparatus.

67. (New) The communication system according to claim 59, wherein the transmitting apparatus comprises a variation section that dynamically varies the criteria defining the levels of importance, or the levels of importance, according to at least one of the transmission parameters including transmission power, coding gain, modulation, data rate and error probability.

68. (New) The communication system according to claim 59, wherein the transmitting apparatus uses MPEG data compression comprising frames or pictures having different levels of importance.